



## ILLINOIS COMMERCE COMMISSION

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December 14, 2006

Union Pacific Railroad Company,  
Petitioner,

Vs.

Stephenson Township,  
Respondent.

T06-0109

Petition for an Order authorizing closure of a grade crossing (DOT 167 765N)  
at the Intersection of Petitioner's tracks and TR 277 also known as County  
Road 750N or C. J. Heck Road.

Mr. Roy Farwell  
Union Pacific Railroad Company  
100 North Broadway, Suite 1500  
St. Louis, MO 63102

Dear Mr. Farwell:

Receipt is acknowledged of the original and two (2) copies of the Petition filed December 14, 2006 in the above matter.

**All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to [www.icc.illinois.gov](http://www.icc.illinois.gov) and apply for an E-docket account.**

Processing and Information Section

KI

Cc: Mr. Mack Shumate, UP  
Mr. Dave McKernan, UP  
CT Corporation System, UP  
Mr. Jerry Cunningham, Marion County  
Mr. John Hays, Stevenson Township

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

RECEIVED  
DEC 14 2006

Illinois Commerce Commission  
RAIL SAFETY SECTION

UNION PACIFIC RAILROAD COMPANY,

Petitioner,

vs.

STEPHENSON TOWNSHIP

Respondent.

Petition for an Order Authorizing Closure of a Grade  
Crossing (DOT (167 765N) at the Intersection of Petitioner's)  
Tracks and TR 277 also known as County Road 750N or  
C. J. Heck Road,

No.

T06-0109

**PETITION**

Petitioner Union Pacific Railroad Company represents to the Commission as follows:

1. Petitioner is a Delaware corporation engaged in the business of a common carrier freight railroad. Petitioner owns and operates railroad tracks and equipment in the State of Illinois, including Marion County and is authorized to do business in the State of Illinois.
2. Stephenson Township is a political subdivision of the State of Illinois and administrative subdivision of Marion County who has responsibility for maintenance of certain County and Township Roads.
3. Petitioner owns and operates a single main line of railroad track running in a generally north-south direction through Stephenson Township, which line is part of its Mt. Vernon Subdivision. Petitioner operates an average of 15 freight trains a day on this section of track, at a maximum timetable speed of 60 mph.

DOCKETED

DEC 14 2006

4. Township Road 277 also known as County Road 750N or C. J. Heck Road, is a public road maintained by Stephenson Township that proceeds east from Illinois Route 37 and crosses over Union Pacific single main track at a 90 degree angle at grade at approximate railroad milepost 256.90 of Petitioner's Mt. Vernon Subdivision. This grade crossing ("Subject Crossing") has been given DOT number 167 765N.

5. A copy of a portion of a state highway map, with the general area of interest designated by red arrow is attached as Exhibit 1. A copy of a close-up detailed map showing the area of interest with the Subject Crossing marked, is attached as Exhibit 2.

6. Heck Road is a chip and seal road less than 13 feet wide. It has an official vehicular count averaging fewer than 100 cars per day, with most traffic consisting of private automobiles with few trucks. There are no posted speed limits.

7. The Subject Crossing is 16 foot wide built from sectional timber crossing. It is equipped with crossbuck signs and yield signs on each side.

8. The Subject Crossing shows no accident history.

9. Petitioner's annual maintenance at the crossing is approximately \$500 per year. The responsibility for maintaining the approaches lies with Stephenson Township.

10. The public crossings on either side of Heck Road crossing are:

(a) Township Road 249B also known as County Road 900N and Cross Road. This roadway is maintained by Stephenson Township and crosses Petitioner's right of way and tracks at grade (DOT No.167 766V) approximately 1.6 miles north of the Subject Crossing. Cross

Road is a 24 foot wide chip and seal roadway with an un-posted speed limit. The crossing surface is 30 feet wide and is made of concrete. The Cross Road crossing has an estimated daily traffic count of approximately 900 vehicles per day including some trucks and farm equipment. Cross Road is equipped with cantilever signals on each side of the tracks.

(b) Township Road 293 also known as County Road 700N and Church Road. This roadway is maintained by Stephenson Township and crosses Petitioner's right of way and tracks at grade (DOT No. 167 764G) approximately 0.6 miles south of the Subject Crossing. Church Road is a 15 foot wide chip and seal roadway with an un-posted speed limit. The crossing surface is 16 feet wide and is made of sectional timber. The Church Road crossing has an estimated daily traffic count of approximately 150 vehicles per day including some trucks and farm equipment. Church Road is currently equipped with crossbucks and yield signs on each side of the tracks. However, this crossing is currently covered by an executed Agreement between Petitioners Stephenson Township and the Illinois Department of Transportation for installation of flashing lights and gates, approved by X Resolution X-12503 on September 28, 2006. Installation should be completed by September, 2007.

11. All costs of this proposed project would be borne entirely by Union Pacific Railroad Company.

12. Adverse travel due to the closure of the Subject Crossing would result under this proposal in having to detour 5.4 miles south of the Subject Crossing via the Church Road crossing.


13. Emergency services would not be significantly impacted by the closure of the Subject Crossing.

14. The changes would be in the interest of public convenience and safety.

WHEREFORE, based on the above, Petitioner requests that the Commission conduct such investigation and hearings as are proper and issue an Order authorizing the following:

- (a) Closure and demolition of the existing TR 277 (C. J. Heck Road) grade crossing with installation of appropriate barricades;
- (b) All costs to be assessed to Union Pacific Railroad Company;
- (c) Such other relief as is deemed appropriate

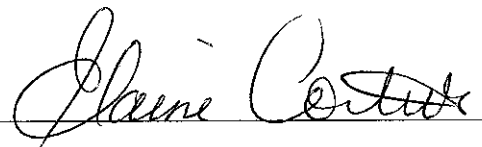
UNION PACIFIC RAILROAD COMPANY

BY:   
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Roy P. Farwell  
100 North Broadway, Suite 1500  
St. Louis, MO 63102  
Telephone: (314) 331-0566  
Facsimile: (314) 331-0564

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was mailed first class mail, postage prepaid, this 12th day of December, 2006, to:

Mr. Jerry Cunningham  
Marion County Engineer  
901 W. Elm Street  
Salem, IL 62881

  
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